



## Zoning Board of Appeals

# Meeting Agenda

The Provincetown Zoning Board of Appeals will hold an Executive Session at 6:00 P.M. followed by a Public Meeting and a Work Session on Thursday, June 16, 2022, in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, MA 02657.

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law.

Joining the Meeting: [Click here to join the meeting](#)

Microsoft Teams: Join on your computer or mobile app

Phone: Or call in (audio only) [\(833\) 579-7589](tel:8335797589) Phone Conference ID: 995 468 09#

**To Participate during public comment:**

- Teams: Raise hand to be called on to speak; or
- Phone: Speak name clearly to be called on to speak.

**Please do not speak again until acknowledged by Chair or meeting moderator.**

- Keep your phone muted at all times when not talking (\*6 to mute & unmute your phone);
- Do not use speakerphone, Bluetooth devices (speakers or headphones); and
- Mute all background noises, including PTV, television or computer and use only phone audio.

**AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AND VOTES MAY BE TAKEN ON ANY OF THE AGENDA ITEMS BELOW**

**MEETING WILL END AT 9:00 P.M. AND ANY APPLICATIONS NOT YET CONSIDERED WILL BE POSTPONED TO THE NEXT HEARING**

A. **Executive Session:** Executive Session pursuant to G.L. c.30A, §21(a)(3) to discuss strategy with respect to litigation concerning **David Deckelbaum, Trustee of the Huey Trust v. Provincetown Zoning Board of Appeals and Crew et al.**, Land Court C.A No. 18 MISC 000512, votes may be taken.

B. **Public Hearings:**

1) **ZBA 21-59** (*request to withdraw without prejudice*)

Application by **Wayne Tavares**, on behalf of **Michael J. Shuster et vir.**, seeking a Special Permit pursuant to Article 2, Section 2450, **Permitted Accessory Uses, G12, Swimming pool**, of the Zoning By-Laws to install a swimming pool on the property located at **99 Bayberry Avenue (Residential 1 Zone)**.

2) **ZBA 22-22** (*continued from the meeting of June 2<sup>nd</sup>*)

Application by **Ted Smith**, on behalf of **Bowman Morrison Family Holding Trust, AJ Bowman and JS Morrison, Trustees**, seeking a Special Permit pursuant to Article 2, Section 2640, **Building Scale**, and Article 3, Section 3110, **Change, Extensions or Alterations**, of the Zoning By-Laws to lift and renovate a structure, including adding dormers, expanding an existing dormer up and along a pre-existing, non-conforming front yard setback, constructing a one-story addition on the west elevation, adding a new exterior entry stair on the northwest corner and reconfiguring an existing egress stair and deck on the northeast corner up and along pre-existing, non-conforming rear yard setback and increasing its building scale, located on an under-sized lot with less than 50' of frontage at **5 Tremont Street (Residential 3 Zone)**.

3) **ZBA 22-23** (*continued to the meeting of July 7<sup>th</sup>*)

Application by **Ginny Binder**, on behalf of **Clipper Ventures Realty Trust**, seeking a Special Permit pursuant to Article 3, Section 3110, **Change, Extensions or Alterations**, of the Zoning By-Laws to install a canopy over a second-floor seating area up and along pre-existing, non-conforming side yard setbacks on the property located at **335 Commercial Street (Town Center Commercial Zone)**.

4) **ZBA 22-24** (*continued from the meeting of June 2<sup>nd</sup>*)

Application by **Ted Smith**, on behalf of **Trevor's Trails II, LLC**, seeking a Special Permit pursuant to Article 2, Section 2640, **Building Scale**, and Article 3, Sections 3110, **Change, Extensions or Alterations**, and 3115, **Demolition and Reconstruction**, of the Zoning By-Laws to demolish and rebuild a pre-existing, non-conforming structure in a slightly smaller footprint, but with an increase in its building scale, on an under-sized lot with less than 50' of frontage at **7 Snow Street (Residential 2 Zone)**.

5) **ZBA 22-27**

Application by **John Day**, on behalf of **BEKS Condominium Trust**, seeking a Special Permit pursuant to Article 2, Section 2640, **Building Scale**, of the Zoning By-Laws to renovate Building #1, including enlarging decks, modifying dormers, and adding a small second-floor living room bump-out, thereby increasing the volume of a structure that is already in excess

of the allowed neighborhood scale on the property located at **167 Commercial Street (Town Center Commercial Zone)**.

6) [ZBA 22-28](#)

Application by **Joseph Kennard** seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to renovate an existing single-family structure, including adding small projections to the east and west elevations, reconfiguring windows and decks, and raising the roof height, thereby increasing the building scale in excess of the allowed neighborhood average scale on the property located at **755 Commercial Street (Residential 1 Zone)**.

7) [ZBA 22-29](#)

Application by **Lisa Pacheco Robb**, on behalf of the **D.T. Hamilton & P.G. Hillard Trust**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions and Alterations, of the Zoning By-Laws to construct an addition up and along a pre-existing, non-conforming front yard setback on the property located at **26 Cottage Street (Residential 3 Zone)**.

8) [ZBA 22-30](#)

Application by **Doug Dolezal**, on behalf of **Thomas G. Myers et al.**, seeking a Special Permit pursuant to Article 2, Sections 2470, Parking Requirements, and 2550, Multiple Buildings Per Lot, and Article 3, Section 3110, Change, Extensions, or Alterations, of the Zoning By-Laws to construct three principal buildings on an undersized lot, to build a structure up and along pre-existing, non-conforming side yard setback, to reduce the front yard setback to 10' where 20' is required, and to waive the parking requirements on the property located at **27 Winthrop Street (Residential 3 Zone)**.

9) [ZBA 22-31](#)

Application by **Doug Dolezal**, on behalf of **Thomas G. Myers et al.**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to construct two buildings that will be in excess of the allowed neighborhood average scale on the property located at **27 Winthrop Street (Residential 3 Zone)**.

C. **Work Session: VOTES MAY BE TAKEN ON ANY OF THE AGENDA ITEMS BELOW**

1) Pending Decision:

**ZBA 22-21**

Application by **Trevor Pontbriand**, on behalf of **Allan J. Robinson et al.**, seeking a Special Permit pursuant to Article 3 Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to construct a new 29.3 sq. ft. addition and 3 small dormers up and along pre-existing, non-conforming side and front yard setbacks on an under-sized lot with less than 50' of frontage located at **153 Bradford Street (Residential 3 Zone)**.

2) Approve Minutes of June 2, 2022 meeting.

3) Any other business that may properly come before the Board.

Submitted By: Jeremy Callahan, Chair

Posted: Town Hall, [www.provincetown-ma.gov](http://www.provincetown-ma.gov); 06/10/2022, 9:50 am AR

Revised 06/14/2022, 11:05 am AR